

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JORGE SANTOS TORRES,

Petitioner,

vs.

ROY BARNES,

Respondent.

Case No: C 11-1804 SBA (PR)

ORDER TO SHOW CAUSE

Through counsel, Petitioner, who currently is incarcerated at the California Correctional Center in Susanville, California, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks to challenge his conviction and sentence rendered by the Santa Clara County Superior Court. Good cause appearing, the Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California. The Clerk shall also serve a copy of this Order on Petitioner's counsel, **Audra Ibarra, 530 Lytton Ave., 2nd Floor, Palo Alto, CA 94103.**

2. Respondent shall file with this Court and serve upon Petitioner, within one-hundred and twenty (120) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If Petitioner wishes to respond to the Answer, he shall do so by filing a Traverse with the Court and serving it on Respondent within sixty (60) days of his receipt of the

1 Answer. Should Petitioner fail to do so, the petition will be deemed submitted and ready for
2 decision sixty (60) days after the date Petitioner is served with Respondent's Answer.

3 4. Respondent may file a motion to dismiss on procedural grounds in lieu of an
4 Answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing
5 Section 2254 Cases. If Respondent files such a motion, Petitioner shall file with the Court and
6 serve on Respondent an opposition or statement of non-opposition to the motion within sixty
7 (60) days of receipt of the motion, and Respondent shall file with the Court and serve on
8 Petitioner a reply within fifteen (15) days of receipt of any opposition.

9 5. Extensions of time are not favored, though reasonable extensions will be
10 granted. Any motion for an extension of time must be filed no later than ten (10) days prior to
11 the deadline sought to be extended.

12 IT IS SO ORDERED.

13 Dated: May 24, 2011


14 SAUNDRA BROWN ARMSTRONG
15 United States District Judge
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